

Amendment No. 2 to HB1809

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Signature of Sponsor

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Clerk _____
Comm. Amdt. _____

AMEND Senate Bill No. 1116*

House Bill No. 1809

By inserting the following language as a new Section immediately preceding the last Section and by renumbering the subsequent section accordingly:

SECTION ____.

(a) For purposes of this section, unless the context otherwise requires:

(1) "Metropolitan council" means the council of a county having a metropolitan form of government which has a population in excess of five hundred thousand (500,000) according to the 2000 federal census or any subsequent federal census;

(2) "Metropolitan government" means a county having a metropolitan form of government which has a population in excess of five hundred thousand (500,000) according to the 2000 federal census or any subsequent federal census; and

(3) "Minority owned business" means a business that is solely owned, or at least fifty-one percent (51%) of the assets or outstanding stock of which is owned, by an individual who personally manages and controls the daily operations of such business and who is impeded from normal entry into the economic mainstream because of:

(A) Past practices of discrimination based on race, religion, ethnic background, or sex;

(B) A disability as defined in § 4-26-102; or

(C) Past practices of racial discrimination against African-Americans;

(b) A metropolitan government, in soliciting bids for the construction of a publicly owned convention center in excess of four hundred million dollars

(\$400,000,000) in costs located within the territory of such metropolitan government, shall actively solicit bids from minority owned businesses. Such metropolitan government shall strive to maximize participation of minority owned businesses through both prime and second tier business contracting opportunities.

(c)

(1) The metropolitan council shall ensure that the funds which are deposited into the convention center fund, created pursuant to this act, are expended in a non-discriminatory manner.

(2) The metropolitan government shall monitor the expenditure of funds from the convention center fund to ensure that all contractors, vendors, suppliers and professional services providers receiving compensation from such fund do not discriminate in hiring, partnering, contracting or subcontracting on the basis race, religion, ethnic background, or sex.

(3) The metropolitan government shall monitor the results of minority owned business participation. Such government shall periodically investigate to ascertain whether minority owned business participation is being achieved at a level contemplated pursuant to subsection (b) of this Section and shall report such information to the comptroller of the treasury in the manner proscribed in subdivision (4) of this subsection.

(4) The metropolitan government shall prepare and submit a quarterly report entitled "The Convention Center Compliance Report" which shall be submitted to the comptroller of the treasury no later than twenty (20) business days after the end of any calendar quarter in which funds are expended from the convention center fund. Such report shall include:

(A) Data on the race, religion, ethnic background and sex of the workforce of each person that receives funds from the convention center fund;

(B) Data on the actual expenditure of funds to minority owned businesses from the convention center fund; and

(C) Data summarizing the findings of all periodic investigations conducted in accordance with subdivision (3) of this subsection.

(5) The comptroller of the treasury shall, upon receipt of the report from the metropolitan government, transmit a synopsis of the report to the chairs and membership of the senate and house state and local government committees.